

Remarks

Claims 1-19 are pending in this application. By this amendment, claim 20 is cancelled without prejudice or disclaimer. Group I is elected with traverse.

Applicants respectfully submit that as there has already been examination of membrane claims 1-5 (Group I) and fuel cell claims 6-10 (Group II), there should be no burden from the continued examination of both sets of claims, which we believe should also include new electrolyte claim 11 and new fuel cell claims 12-19. This is especially so because claims 1 and 6 have not been substantively amended since the original filing and an Office Action on the merits have been issued on claims 1 and 6 as originally filed and as still pending. (Applicants note that the previous amendments to claims 1 and 6 were merely to correct a typographical error changing “an” to “a”).

Further, Applicants do not understand the combination and subcombination requirement statement set forth on pages 2 and 3 of the restriction requirement and believe the statement does not address Group I (“Invention I”) and Group II (“Invention II”). The restriction requirement states that “Inventions II and I are related as combination and subcombination. ... In the instant case, the combination as claimed does not require the particulars of the subcombination as claimed because the combination of Group II in claim 6 (i.e. the fuel cell) does not require the specific propane sulfonate group and disulfide group (as recited in claim 13).” See pages 2-3 (emphasis added). However, as set forth on page 2 of the restriction requirement, Group I is directed to claims 1-5, while Group II is directed to claims 6-19. Thus,

"Inventions" I and II are not discussed in item number 2 on pages 2-3, which discusses claims 6 and 13 both of which are in Group II.

Furthermore, claim 1 of Group I and claim 6 of Group II both include silicon atoms with substituents represented by formulas 1 and 2 in an electrolyte membrane as recited in claim 1, and both "Groups" were examined in the previous Office Action dated February 23, 2006.

For at least the reasons set forth above, Applicants respectfully request withdrawal of the restriction requirement, rejoinder of Groups I and II, and examination of both Groups I and II (claims 1-19). As to Group III, claim 20 is cancelled without prejudice or disclaimer.


Favorable examination on the merits is respectfully requested.

Respectfully submitted,

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